

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>ANTONIO HAYWARD</b>	:	<b>CIVIL ACTION</b>
<i>Plaintiff,</i>	:	
	:	
<b>v.</b>	:	
	:	
<b>BOROUGH OF SHARON HILL, et al.</b>	:	<b>NO. 13-825</b>
<i>Defendants.</i>	:	

**ORDER**

**AND NOW**, this 24<sup>th</sup> day of October, 2013, upon consideration of Defendant the Borough of Sharon Hill's Motion to Dismiss (Docket No. 15) and Plaintiff's Opposition thereto (Docket No. 20), it is hereby **ORDERED** that Defendant's Motion is **GRANTED in part**, and **DENIED in part** as follows:

1. Defendant's Motion is **GRANTED** as to Count III only regarding Plaintiff's allegations of procedural due process violations, and those allegations are **DISMISSED with prejudice**.
2. By Consent of Plaintiff, Defendant's Motion is **GRANTED** as to Count V, and Count V is **DISMISSED without prejudice**.
3. By Consent of Plaintiff, Defendant's Motion is **GRANTED** as to Count VI, and Count VI is **DISMISSED with prejudice**.
4. The remainder of Defendant's Motion is **DENIED**.

5. Plaintiffs may file an amended complaint no later than 14 days from the date of this order.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE